The present application has been reviewed in light of the Office Action dated June 11, 2008. Claims 1, 6, 16-18, 20-22, and 24 are presented for examination, of which Claims 1, 6, and 24 are in independent form. Claims 19 and 23 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claims 1, 6, 16-18, 20-22, and 24 have been amended to define aspects of Applicant's invention more clearly. Favorable reconsideration is requested.

A certified copy of the priority document for this application was submitted by hand on April 16, 2004, as evidenced by the USPTO's Transaction History for the present application obtained from PAIR, a copy of which is attached. Also attached is a copy of a "Submission of Priority Document" filed with the certified copy, as well as a copy of the returned receipt postcard bearing the stamp of the USPTO. Applicant respectfully requests acknowledgment of receipt of the certified copy. More specifically, Applicant respectfully requests that the Examiner check paragraph 12(a) of the next Office Action Summary (PTOL-326) to acknowledge that "All" of the certified copies/copy have/has been received.

Claims 6 and 20-23 stand rejected under 35 U.S.C. §101, as being directed to non-statutory subject matter. Cancellation of Claim 23 renders its rejection moot. Applicant has carefully reviewed and amended Claims 6 and 20-23, as deemed necessary, to ensure that they conform fully to the requirements of Section 101, with special attention to the points raised in section 3 of the Office Action. In particular, Claim 6 has been amended to indicate that the apparatus includes a central processing unit. It is believed that the rejections under Section 101, have been obviated, and their withdrawal is therefore respectfully requested.

The Office Action states that Claims 1, 6, and 16-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication Patent No. 2003/0069943 (*Bahrs et al.*) in view of U.S. Patent No. 6,286,757 (*Kobayashi*). Cancellation of Claims 19 and 23 renders their rejections moot. Applicant submits that independent Claims 1, 6, and 24, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a data processing method, which is executed in an information processing apparatus, for performing a data process based on delivery data transmitted from an external information processing apparatus. The method includes: (1) a reception step of receiving the delivery data transmitted from the external information processing apparatus; (2) a first judgment step of judging whether particular data is included in the delivery data, by analyzing the delivery data received in the reception step; (3) an issuance step of issuing a particular data detection event indicating that the particular data is included, in a case where it is judged in the first judgment step that the particular data is included in the delivery data; (4) an event management step of registering an event and a program corresponding to the event; (5) a second judgment step of judging whether the particular data detection event issued by the issuance step has been registered by the event management step; (6) a control step for, in a case where it is judged by the second judgment step that the particular data detection event has been registered, giving the particular data to the corresponding program and executing the data process; and (7) an activation step configured to, in a case where the particular data is an executable program as a result of the data process executed by the control step, activating the executable program.

Notable features of Claim 1 include a "first judgment step of judging whether particular data is included in the delivery data, by analyzing the delivery data received in the reception step," an "event management step of registering an event and a program corresponding to the event," a "control step for, in a case where it is judged by the second judgment step that the particular data detection event has been registered, giving the particular data to the corresponding program and executing the data process," and an "activation step configured to, in a case where the particular data is an executable program as a result of the data process executed by the control step, activating the executable program." By virtue of these features, an information processing apparatus employing the method of Claim 1 is extremely flexible, because an executable program can be designated as the particular data, and executable program as well as a variety of other programs can be activated in the information processing apparatus, for example.[1]

Bahrs et al. relates to an apparatus for implementing a business process in a data processing system. According to Bahrs et al., changes to the business process may be made with minimal impact on applications enabling the business process. Applicant agrees with the Examiner that Bahrs et al. fails to teach a judgement step of judging whether data is included in delivery data, by analyzing the delivery data received in a reception step (page 4 of the Office Action). Moreover, nothing has been found in Bahrs et al that is believed to teach or suggest an "event management step of registering an event and a program corresponding to the event," a "control step for, in a case where it is judged by the second judgment step that the particular data detection event has been registered, giving the particular data to the corresponding program and

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[1] The example(s) presented herein are intended for illustrative purposes only. Any details presented in the illustrative example(s) should not be construed to limit the scope of the claims.

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executing the data process," and an "activation step configured to, in a case where the particular data is an executable program as a result of the data process executed by the control step, activating the executable program," as recited in Claim 1.

Kobayashi relates to a an integrated circuit (IC) card system in which an external apparatus issues a read or a write command via a card reader/writer to an IC card. The IC card verifies a command received from an external apparatus against control information prior to executing the command (FIG. 6). Apparently, the Office Action equates the control information in *Kobayashi* to the "delivery data" recited in Claim 1. However, the control information is not received from the external apparatus. The control information is stored in an EEPROM and merely includes a plurality of identifiers, none of which are believed to executable (see col. 4, lines 25-47). As understood by Applicant, the IC card judges whether to execute the command by analyzing the identifiers of the control information stored in the EEPROM, not by analyzing the command received from the external apparatus.

Based on the foregoing, Applicant submits that a combination of *Bahrs et al.* and *Kobayashi*, assuming such combination would even be permissible, would fail to teach or suggest a "first judgment step of judging whether particular data is included in the delivery data, by analyzing the delivery data received in the reception step," an "event management step of registering an event and a program corresponding to the event," a "control step for, in a case where it is judged by the second judgment step that the particular data detection event has been registered, giving the particular data to the corresponding program and executing the process," and an "activation step configured to, in a case where the particular data is an executable program as a result of the process executed by the control step, activating the executable

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program," as recited in Claim 1. Accordingly, Applicants submit that Claim 1 is patentable over *Bahrs et al.* and *Kobayashi*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 6 and 24 are directed to an apparatus and a computer-readable storage medium, respectively, corresponding to the method of Claim 1. Therefore, those claims are believed to be patentable for at least the reasons discussed above. The other rejected claims in this application depend from one or another of the independent Claims 1, 6, and 24 and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.
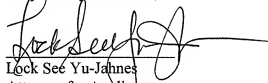
No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

Lock See Yu-Jahnes
Attorney for Applicant
Registration No.: 38,667

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New York, New York 10112-3801
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10/761,291	Data processing method, information processing apparatus, and program	09-11-2008::16:39:22

Transaction History

Date	Transaction Description
06-11-2008	Mail Non-Final Rejection
06-09-2008	Non-Final Rejection
03-28-2008	Date Forwarded to Examiner
03-28-2008	Date Forwarded to Examiner
03-27-2008	Request for Continued Examination (RCE)
03-28-2008	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
03-27-2008	Workflow - Request for RCE - Begin
12-27-2007	Mail Final Rejection (PTOL - 326)
12-26-2007	Final Rejection
10-18-2007	Date Forwarded to Examiner
10-15-2007	Response after Non-Final Action
07-13-2007	Mail Non-Final Rejection
07-09-2007	Non-Final Rejection
02-24-2004	Information Disclosure Statement considered
05-11-2007	Case Docketed to Examiner in GAU
10-06-2005	Case Docketed to Examiner in GAU
03-01-2005	IFW TSS Processing by Tech Center Complete
02-24-2005	Case Docketed to Examiner in GAU
02-24-2004	Reference capture on IDS
02-24-2004	Information Disclosure Statement (IDS) Filed
02-24-2004	Information Disclosure Statement (IDS) Filed
06-22-2004	Transfer Inquiry to GAU
04-16-2004	Request for Foreign Priority (Priority Papers May Be Included)
04-23-2004	Application Return from OIPE
04-23-2004	Application Return TO OIPE
04-23-2004	Application Dispatched from OIPE
04-23-2004	Application Is Now Complete
03-09-2004	Cleared by OIPE CSR
02-03-2004	IFW Scan & PACR Auto Security Review
01-22-2004	Initial Exam Team nn

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Commissioner for Patents
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Alexandria, VA 22313-1450

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03500.017865
Atty. Docket
Application No. 10 1761 391

Sir:
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☐ Response to Official Action. _____
☐ Check for $ _____ (claims fee)
☐ Petition under 37 CFR 1.136 and Check for $ _____
☐ Notice of Appeal and Check for $ _____
☐ Information Disclosure Statement, PTO-1449 and _____ documents
☒ ~~Claim for priority~~ Submission of Priority Document and certified copies of _____ (One) priority applications
☐ Issue fee transmittal and Check for $ _____
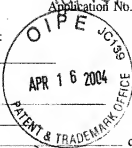☐ Other (specify) _____

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03500.017865

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Not Yet Assigned
HAJIME OHNO	)	
	:	Group Art Unit: NYA
Application No.: 10/761,291	)	
	:	
Filed: January 22, 2004	)	
	:	
For: DATA PROCESSING METHOD,	)	
INFORMATION PROCESSING	:	
APPARATUS, AND PROGRAM	)	April 15, 2004

Commissioner for Patents
P.O. Box 1450
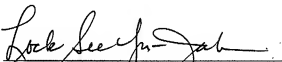Alexandria, VA 22313-1450

SUBMISSION OF PRIORITY DOCUMENT

Sir:

In support of Applicant's claim for priority under 35 U.S.C. § 119, enclosed is a certified copy of the following Japanese application:

2003-023824, filed January 31, 2003.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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